

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 4567–4613; 4 private bills, H.R. 4614–4617; and 13 resolutions, H. Con. Res. 319–323; and H. Res. 622, 624, and 630, were introduced.

Pages H12047–49

Additional Cosponsors:

Pages H1050–51

Reports Filed: Reports were filed today as follows:

H. Res. 549, requesting the President of the United States provide to the House of Representatives all documents in his possession relating to his October 7, 2002, speech in Cincinnati, Ohio, and his January 28, 2003, State of the Union address, with an amendment (H. Rept. 109–351); and

The Methamphetamine Epidemic: International Roots of the Problem, and Recommended Solutions (H. Rept. 109–352);

H.R. 3699, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, with an amendment (H. Rept. 109–316, Pt. 2); and Report of the Joint Economic Committee on the 2005 Economic Report of the President (H. Rept. 109–353);

Conference report on S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010 (H. Rept. 109–354); and

H. Res. 623, providing for consideration of motions to suspend the rules (H. Rept. 109–355).

Pages H11920–21, H12015–31, H12047

Speaker: Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker pro tempore for today.

Page H11883

Discharge Petitions: Representative Boswell moved to discharge the Committee on Rules from the consideration of H. Res. 584, providing for the consideration of H.R. 752, to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program (Discharge Petition No. 9); and

Representative Herseth moved to discharge the Committee on Rules from the consideration of H. Res. 585, providing for the consideration of H.R. 3861, to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare

prescription drug benefit during 2006 (Discharge Petition No. 10).

National Defense Authorization Act for Fiscal Year 2006: H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. Motion to go to conference was agreed to on December 15th.

Agreed to close portions of the conference when classified national security material is being discussed by a yea-and-nay vote of 409 yeas to 12 nays, Roll No. 642.

Page H11901

The House agreed to the Skelton motion to instruct conferees by a yea-and-nay vote of 228 yeas to 187 nays, Roll No. 643, which was debated yesterday, December 15th.

Pages H11901–02

The Chair appointed as conferees: from the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. Hunter, Weldon of Pennsylvania, Hefley, Saxton, McHugh, Everett, Bartlett of Maryland, McKeon, Thornberry, Hostettler, Ryun of Kansas, Gibbons, Hayes, Calvert, Simmons, Mrs. Drake, Messrs. Skelton, Spratt, Ortiz, Evans, Taylor of Mississippi, Abercrombie, Meehan, Reyes, Snyder, Smith of Washington, Ms. Loretta Sanchez of California, and Mrs. Tauscher;

Page H11905

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. Hoekstra, LaHood, and Ms. Harman;

Page H11905

From the Committee on Education and the Workforce, for consideration of secs. 561–563, 571, and 815 of the House bill, and secs. 581–584 of the Senate amendment, and modifications committed to conference: Messrs. Castle, Wilson of South Carolina, and Holt;

Page H11905

From the Committee on Energy and Commerce, for consideration of secs. 314, 601, 1032, and 3201 of the House bill, and secs. 312, 1084, 2893, 3116, and 3201 of the Senate amendment, and modifications committed to conference: Messrs. Barton of Texas, Gillmor, and Dingell;

Page H11905

From the Committee on Financial Services, for consideration of secs. 676 and 1073 of the Senate amendment, and modifications committed to conference: Messrs. Oxley, Ney, and Frank of Massachusetts;

Page H11905

From the Committee on Government Reform, for consideration of secs. 322, 665, 811, 812, 820A, 822–825, 901, 1101–1106, 1108, Title XIV, secs. 2832, 2841, and 2852 of the House bill, and secs. 652, 679, 801, 802, 809E, 809F, 809G, 809H, 811, 824, 831, 843–845, 857, 922, 1073, 1106, and 1109 of the Senate amendment, and modifications committed to conference: Messrs. Tom Davis of Virginia, Shays, and Waxman; **Page H11905**

From the Committee on Homeland Security, for consideration of secs. 1032, 1033, and 1035 of the House bill, and sec. 907 of the Senate amendment, and modifications committed to conference: Messrs. Linder, Daniel E. Lungren of California, and Thompson of Mississippi; **Page H11905**

From the Committee on International Relations, for consideration of secs. 814, 1021, 1203–1206, and 1301–1305 of the House bill, and secs. 803, 1033, 1203, 1205–1207, and 1301–1306 of the Senate amendment, and modifications committed to conference: Messrs. Hyde, Leach, and Lantos; **Page H11905**

From the Committee on the Judiciary, for consideration of secs. 551, 673, 1021, 1043, and 1051 of the House bill, and secs. 553, 615, 617, 619, 1072, 1075, 1077, and 1092 of the Senate amendment, and modifications committed to conference: Messrs. Sensenbrenner, Chabot, and Conyers; **Page H11905**

From the Committee on Resources, for consideration of secs. 341–346, 601, and 2813 of the House bill, and secs. 1078, 2884, and 3116 of the Senate amendment, and modifications committed to conference: Messrs. Pombo, Brown of South Carolina, and Rahall; **Page H11905**

From the Committee on Science, for consideration of sec. 223 of the House bill and secs. 814 and 3115 of the Senate amendment, and modifications committed to conference: Messrs. Boehlert, Akin, and Gordon; **Page H11905**

From the Committee on Small Business, for consideration of sec. 223 of the House bill, and secs. 814, 849–852, 855, and 901 of the Senate amendment, and modifications committed to conference: Mr. Manzullo, Mrs. Kelly, and Ms. Velázquez; **Page H11905**

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 508, 601, and 1032–1034 of the House bill, and secs. 312, 2890, 2893, and 3116 of the Senate amendment, and modifications committed to conference: Messrs. Young of Alaska, Duncan, and Salazar; **Page H11905**

From the Committee on Veterans' Affairs, for consideration of secs. 641, 678, 714, and 1085 of the Senate amendment, and modifications committed to conference: Messrs. Buyer, Miller of Florida, and Ms. Berkley; and **Page H11905**

From the Committee on Ways and Means, for consideration of sec. 677 of the Senate amendment, and modifications committed to conference: Messrs. Thomas, Herger, and McDermott. **Page H11905**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, December 14th:

Calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government: H. Con. Res. 294, amended, to call on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government, by a yea-and-nay vote of 413 yeas to 1 nay, Roll No. 647; **Pages H11904–05**

Condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country: H. Res. 409, amended, condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country, by a yea-and-nay vote of 421 yeas to 1 nay, Roll No. 649; **Page H11921**

Providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority: H. Res. 575, amended, providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority, by a yea-and-nay vote of 397 yeas to 17 nays, Roll No. 650; **Pages H11921–22**

Agreed to amend the title so as to read "Asserting that Hamas and other terrorist organizations should not participate in elections held by the Palestinian, Authority, and for other purposes." **Page H11922**

Recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq: H. Res. 534, amended, to recognize the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq, by a yea-and-nay vote of 408 yeas to 1 nay, Roll No. 651; and **Pages H11922–23**

Agreed to amend the title so as to read “Recognizing the importance of an independent Iraqi judiciary in the formation of a new and democratic Iraq.”.

Page H11923

Condemning actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIC), expressing support for extending the UNIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty: H. Res. 598, amended, to condemn actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIC), expressing support for extending the UNIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty, by a ye-a-and-nay vote of 404 yeas to 5 nays with 1 voting “present”, Roll No. 662.

Pages H12014–15

Expressing the commitment of the House of Representatives to achieving victory in Iraq: The House agreed to H. Res. 612, to express the commitment of the House of Representatives to achieving victory in Iraq by a ye-a-and-nay vote of 279 yeas to 109 nays with 34 voting “present”, Roll No. 648.

Pages H11905–20

H. Res. 619, the rule providing for consideration of the resolution was agreed to by a recorded vote of 217 yeas to 202 noes, Roll No. 645, after agreeing to order the previous question by a ye-a-and-nay vote of 221 yeas to 200 nays, Roll No. 644.

Pages H11885–93, H11902–03

Gulf Opportunity Zone Act of 2005: The House passed by unanimous consent H.R. 4440, amended in the Senate, to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma.

Pages H11923–40

Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005: The House passed H.R. 4437, to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, in which consideration began yesterday, December 15th, by a recorded vote of 239 yeas to 182 noes, Roll No. 661.

Pages H11940–59, H11968–H12014

Rejected the Reyes motion to recommit the bill to the Committee on Homeland Security with in-

structions to report the same back to the House forthwith with amendments, by a recorded vote of 198 yeas to 221 noes, Roll No. 660.

Pages H11995–H12013

Agreed to:

Filner amendment (No. 2 printed in H. Rept. 109–350) makes technical changes to the current statute governing the distribution of fraudulent documents. The statute does not mention “distribution” of illegal documents, which applies to the re-sale or sale of fraudulent documents. By adding distribution to the criminal code those convicted of distributing illegal documents will be held to the same penalties as those who create, alter, or falsify any immigration related document;

Pages H11942–43

Sensenbrenner amendment (No. 4 printed in H. Rept. 109–350) that prohibits localities from requiring businesses to set up day labor sites as a condition for conducting or expanding a business. Requires the Attorney General to report on the status of criminal alien prosecutions, including prosecutions of smugglers. Authorizes ICE's current Forensic Document Laboratory. At the Administration's request: Sets mandatory minimums for repeated marriage fraud. Removes reference to aggravated felonies and substitutes language referring to length of sentence, for sentencing enhancements for aliens who enter illegally after convictions. Makes various technical and conforming changes;

Pages H11944–49

Price of Georgia amendment (No. 5 printed in H. Rept. 109–350) which establishes a hard deadline to achieve operational control over the entire international land and maritime borders of the United States. Operational control entails the prevention of all unlawful entries into the United States;

Pages H11949–50

Velázquez amendment (No. 8 printed in H. Rept. 109–350) which requires the U.S. Citizenship and Immigration Services (USCIS) to reduce the immigration application processing backlog to 6 months within a period of 1 year. Authorizes the Director of USCIS to implement innovative pilot initiatives to eliminate the backlog and prevent further backlog from recurring. Encourages initiatives such as increasing or transferring personnel to areas with the greatest backlog, streamlining regulations and paperwork filing processes, upgrading information technology, and increasing the number of immigration service centers;

Pages H11953–54

Goodlatte amendment (No. 1 printed in H. Rept. 109–350) that eliminates the visa lottery program (by a recorded vote of 273 yeas to 148 noes, Roll No. 653);

Pages H11940–42, H11968–69

Stearns amendment No. 6 printed in H. Rept. 109–350) that prohibits Department of Homeland Security, the U.S. Attorney General, and all courts

from granting any kind of legal immigration status (i.e. "benefits") to an alien until the relevant databases of criminal records and terrorist watch lists are checked (by a recorded vote of 420 ayes with none voting "nay," Roll No. 654); **Pages H11950–51, H11969**

Norwood amendment (No. 9 printed in H. Rept. 109–350) that reaffirms state and local law enforcement's existing inherent authority to assist in the enforcement of immigration law, provide training on this issue at no cost to the local agency, increase law enforcement's access to vital information on illegal criminal aliens, and provide increased and additional resources (SCAAP grants, Institutional Removal Program, and a new grant program) to help assist in the enforcement of immigration laws (by a recorded vote of 237 ayes to 180 noes, Roll No. 656);

Pages H11954–57, H11970–71

Myrick amendment (No. 12 printed in H. Rept. 109–350) modified, that amends section 606 of the bill to require the removal of an unauthorized alien on the first conviction of drunk driving. Authorizes State and local law enforcement officers to detain and transport unauthorized alien drunk drivers and be reimbursed by the Department of Homeland Security. Information on unauthorized alien drunk drivers shall be reported to the Department of Homeland Security, the National Criminal Information Center and the Drivers License Agreement of the American Association of Motor Vehicle Administrators;

Pages H11971–73

Shadegg amendment (No. 13 printed in H. Rept. 109–350) that increases penalties for document fraud and for crimes of violence and drug trafficking offenses committed by illegal aliens;

Pages H11973–75

Shadegg amendment (No. 14 printed in H. Rept. 109–350) that adds human trafficking and human smuggling to the list of predicate acts under the federal money laundering statute;

Pages H11975–76

Bradley amendment (No. 17 printed in H. Rept. 109–350) that requires the Department of Homeland Security to provide a report both one and two years after implementation of the Employment Eligibility Verification System to Congress. Reports would contain information relating to problems reported by businesses during implementation as well as progress made up to the report's date. Report would contain information relating to the most efficient use of the system by small businesses;

Pages H11979–80

Ryun amendment (No. 19 printed in H. Rept. 109–350) that establishes the Oath of Renunciation and Allegiance as Federal law so that it cannot be changed without an act of Congress. Also requires the Secretary of Homeland Security, in cooperation with the Secretary of State, to notify a foreign embassy of which a new citizen was a citizen or subject

that the citizen has: (1) renounced allegiance to that foreign country; and (2) sworn allegiance to the United States;

Pages H11982–84

Royce amendment (No. 20 printed in H. Rept. 109–350) which states that no immigration benefit may be granted until, at a minimum, an FBI fingerprint check has been submitted and the results show that the alien does not have a criminal or immigration history that would render him or her ineligible for the benefit have been to U.S. Citizenship and Immigration Services;

Pages H11984–87

Westmoreland amendment (No. 15 printed in H. Rept. 109–350) that sets caps on the monetary penalties set forth in Title VII of the bill for hiring or employing unauthorized aliens of \$7,500 for first time offenses, \$15,000 for second offenses, and \$40,000 for all subsequent offenses; Provides an exemption from penalty for initial good faith violations; and provides a safe harbor for contractors if their subcontractor employees an unauthorized alien (provided the contractor did not know the employee was an unauthorized alien) (by a recorded vote of 247 ayes to 170 noes, Roll No. 657);

Pages H11976–78, H11987–88

Rejected:

Sensenbrenner amendment (No. 7 printed in H. Rept. 109–350) which sought to, at the Administration's request, reduce the maximum sentence for illegal entry and illegal presence to six months (by a recorded vote of 164 ayes to 257 noes, Roll No. 655);

Page H11951–53, H11969–70

Gonzalez amendment (No. 16 printed in H. Rept. 109–350) that sought to increase the fines on businesses for knowingly hiring unauthorized aliens to \$50,000. Proceeds would be shared with state and local government and are restricted for use to help cover the costs associated with providing services to undocumented immigrants (by a recorded vote of 87 ayes to 332 noes, Roll No. 658); and

Pages H11978–79, H11988

Sullivan amendment (No. 18 printed in H. Rept. 109–350) that sought to require all non-citizens who enter or exit the country to be processed through the automated entry-exit control system Congress mandated in 1996 (by a recorded vote of 163 ayes to 251 noes with 1 voting "present", Roll No. 659).

Pages H11980–82, H11988–89

Withdrawn:

Hayworth amendment (No. 3 printed in H. Rept. 109–350) that was offered and subsequently withdrawn, which sought to increase the number of employment-based visas available through a reduction in other non-employment-based immigration categories; and

Pages H11943–44

Tancredo amendment (No. 10 printed in H. Rept. 109–350) that was offered and subsequently withdrawn, which sought to prohibit the Attorney General from allocating funds under the State Criminal Alien Assistance Program to any state or local government which maintains a “sanctuary policy” in violation of federal law (8 U.S.C. 1373). Also requires the Attorney General to report annually to Congress on which state and local governments maintain “sanctuary policies”. **Pages H11957–58**

Agreed by unanimous consent that staff be authorized to make technical and conforming corrections to the text of H.R. 4377, as passed by the House. **Page H12014**

H. Res. 621, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 216 yeas to 203 nays, Roll No. 646.

Pages H11893–H11901, H11903–04

Deficit Reduction Act of 2005—Motion to go to Conference: The House insisted on its amendment and agreed to a conference on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). **Pages H11959–68**

The House agreed to the Spratt motion to instruct conferees by a yea-and-nay vote of 246 yeas to 175 nays, Roll No. 652. **Pages H11959–67**

The Chair appointed conferees for consideration of the Senate bill, and the House amendment thereto, and modifications committed to conference: Messrs. Nussle, Ryun of Kansas, Crenshaw, Putnam, Wickler, Hulshof, Ryan of Wisconsin, Blunt, DeLay, Spratt, Moore of Kansas, Neal of Massachusetts, Ms. DeLauro, Messrs. Edwards, and Ford; **Page H11967**

From the Committee on Agriculture, for consideration of title I of the Senate bill and title I of the House amendment, and modifications committed to conference: Messrs. Goodlatte, Peterson of Minnesota, and Lucas; **Page H11968**

From the Committee on Education and the Workforce, for consideration of title VII of the Senate bill and title II and subtitle C of title III of the House amendment, and modifications committed to conference: Messrs. Boehner, George Miller of California, and McKeon; **Page H11968**

From the Committee on Energy and Commerce, for consideration of title III and title VI of the Senate bill and title III of the House amendment, and modifications committed to conference: Messrs. Upton, Dingell, and Deal of Georgia; **Page H11968**

From the Committee on Financial Services, for consideration of title II of the Senate bill and title IV of the House amendment, and modifications committed to conference: Messrs. Oxley, Frank of Massachusetts, and Bachus; **Page H11968**

Provided that Mr. Ney is appointed in lieu of Mr. Bachus for consideration of subtitles C and D of title II of the Senate bill and subtitle B of title IV of the House amendment; **Page H11968**

From the Committee on the Judiciary, for consideration of title VIII of the Senate bill and title V of the House amendment, and modifications committed to conference: Messrs. Sensenbrenner, Conyers, and Smith of Texas; **Page H11968**

From the Committee on Resources, for consideration of title IV of the Senate bill and title VI of the House amendment, and modifications committed to conference: Messrs. Pombo, Rahall, and Gibbons; **Page H11968**

From the Committee on Transportation and Infrastructure, for consideration of title V and Division A of the Senate bill and title VII of the House amendment, and modifications committed to conference: Messrs. Young of Alaska, Oberstar, and LoBiondo; and **Page H11968**

From the Committee on Ways and Means, for consideration of sections 6039, 6071, and subtitle B of title VI of the Senate bill and title VIII of the House amendment, and modifications committed to conference: Messrs. Thomas, Rangel, and Herger. **Page H11968**

Presidential Message: Read a message from the President whereby he notified Congress of the issuance of a set of guidelines and requirements that significantly aid in the establishment of the Information Sharing Environment (ISE)—referred to the Permanent Select Committee on Intelligence and ordered printed (H. Doc. 109–75). **Pages H12031–32**

Reassignment of Conferee: The Chair announced the removal of Mr. Upton as a conferee on S. 1932, and appoints Mr. Barton of Texas to fill the vacancy. **Page H12031**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Saturday, December 17th. **Page H12014**

Senate Message: Messages received from the Senate today appear on pages H11920 and H12035–36.

Senate Referrals: S. 2116 was referred to the Committee on Transportation and Infrastructure and S. 2120 was referred to the Committee on Agriculture. **Page H12042**

Quorum Calls—Votes: Eleven yea-and-nay votes and ten recorded vote developed during the proceedings of today and appear on pages H11901, H11901–02, H11902–03, H11903, H11903–04, H11904–05, H11920, H11921, H11921–22, H11922–23, H11967, H11968–69, H11969, H11970, H11970–71, H11987–88, H11988,

H11988–89, H12013, H12013–14, and H12014–15. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12 midnight.

Committee Meetings

BRIEFING—CHANGES ALLOWING AIRLINE PASSENGERS TO BOARD AIRCRAFT WITH SCISSORS, PLIERS AND WRENCHES

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity met in executive session to receive a briefing on announced changes to the prohibited items list that would allow airline passengers to board an aircraft with scissors, pliers and wrenches. The Subcommittee was briefed by a departmental witness.

BORDER SURVEILLANCE SYSTEM MISMANAGEMENT

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled “Mismanagement of the Border Surveillance System and Lessons for the New Secure Border Initiative”. Testimony was heard from Richard L. Skinner, Inspector General, Department of Homeland Security.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that certain specified measures may be considered under suspension of the rules at any time on the legislative day of Saturday, December 17, 2005.

Joint Meetings

NATIONAL DEFENSE AUTHORIZATION

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

COMMITTEE MEETINGS FOR SATURDAY, DECEMBER 17, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.